

**DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION**

As a below inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor( if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**VACUUM CLEANER WITH NOISE SUPPRESSION FEATURES**

the specification of which

☐ is attached hereto

☒ was filed on January 12, 2001  
Application Serial No.09/759,437

☐ was filed as PCT

and was amended on  
(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56 (a).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed above and have also identified below, by check the box, any foreign application(s) for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed:

Prior Foreign Application

\_\_\_\_\_  
(Number)                      (Country)                      (Day/Month/Year Filed)                      Certified Copy Attached?

I hereby claim the benefit under 35 U.S.C. 119(e) of an United States provisional application(s) listed below.

\_\_\_\_\_  
Application No(s)                      (Day/Month/Year Filed)                      [ ] additional provisional application numbers are  
listed on a supplemental priority data sheet attached

I hereby claim the benefit under Title 35, United States, § 120 of any United States application(s) or any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information which is material to patentability as defined in Title 37, of Federal Regulations Code, § 1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

\_\_\_\_\_  
U.S. Parent Application  
or PCT Parent Number

\_\_\_\_\_  
Parent Filing Date  
(MM/DD/YYYY)

\_\_\_\_\_  
Parent Patent Number  
(If Applicable)

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Steven M. Auvil	Reg. No. 40,492	Mark E. Bandy	Reg. No. 35,788	Brian G. Bembenick	Reg. No. 41,463
John P. Cornely	Reg. No. 41,687	Joseph D. Dreher	Reg. No. 37,123	Christopher B. Fagan	Reg. No. 22,987
Jude A. Fry	Reg. No. 38,340	Steven M. Haas	Reg. No. 37,841	W. Scott Harders	Reg. No. 42,629
Michael E. Hudzinski	Reg. No. 34,185	Richard M. Klein	Reg. No. 33,000	Thomas E. Kocovsky, Jr.	Reg. No. 28,383
Sandra M. Koenig	Reg. No. 33,722	Brian E. Kondas	Reg. No. 40,685	Scott A. McCollister	Reg. No. 33,961
James W. McKee	Reg. No. 26,482	Richard J. Minnich	Reg. No. 24,175	Jay F. Moldovanyi	Reg. No. 29,678
Philip J. Moy	Reg. No. 31,280	Timothy E. Nauman	Reg. No. 32,283	James E. Scarbrough	Reg. No. 47,056
Patrick R. Roche	Reg. No. 29,580	Albert P. Sharpe, III	Reg. No. 19,879	R. Scott Speroff	Reg. No. 37,450
Mark S. Svat	Reg. No. 34,261				

**SEND CORRESPONDENCE TO:**

Patrick R. Roche, Esq.  
Fay, Sharpe, Fagan, Minnich & McKee, LLP  
1100 Superior Avenue, 7th Floor  
Cleveland, OH 44114-2518

**DIRECT TELEPHONE CALLS TO:**  
(name and telephone number)

Patrick R. Roche  
(216) 861-5582

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

**Full name of sole or first joint inventor:** **PAUL D. STEPHENS**

Inventor's Signature: Paul D. Stephens

Date: 4-12-01

Residence: Twinsburg, OH 44087

Country of Citizenship: USA

Post Office Address: 2811 Myrick Lane  
Twinsburg, OH 44087

**Full name of second joint inventor:** **JEFFREY M. KALMAN**

Inventor's Signature: Jeffrey M. Kalman

Date: 4-16-01

Residence: Cleveland Heights, OH 44087

Country of Citizenship: USA

Post Office Address: 1849 Cadwell Avenue  
Cleveland Hts., OH 44087

**Full name of third joint inventor:** **STEVEN J. PALIOBEIS**

Inventor's Signature: Steven J. Paliobeis

Date: 4-12-01

Residence: Painesville, OH 44077

Country of Citizenship: USA

Post Office Address: 631 Lanark Lane  
Painesville, OH 44077

**Full name of fourth joint inventor:** **CHARLES J. THUR**

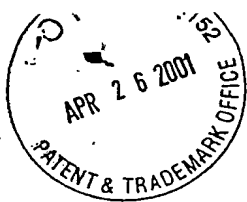
Inventor's Signature: Charles J. Thur

Date: 4-12-01

Residence: Chardon, OH 44024

Country of Citizenship: USA

Post Office Address: 10280 Locust Grove Drive  
Chardon, OH 44024



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4.26.01

Attorney Docket No. RYL 2 0745 -1

D\$

**PATENT**  
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF : Paul D. Stephens et al.  
FOR : **VACUUM CLEANER WITH NOISE SUPPRESSION FEATURES**  
SERIAL NO. : 09/759,437  
FILED : January 12, 2001  
EXAMINER : Unknown  
ART UNIT : 1744  
ATTORNEY DOCKET NO. : RYL 2 0745

**ASSIGNMENT TRANSMITTAL LETTER**

Commissioner for Patents and Trademarks  
Washington, DC 20231  
BOX ASSIGNMENT

Dear Sir:

Please record the attached original document or copy thereof.

1. Name of Parties conveying an interest:

Paul D. Stephens  
Jeffrey M. Kalman

Steven J. Paliobeis  
Charles J. Thur

2. Name and Address of Party receiving an interest:

Royal Appliance Mfg. Co.  
7005 Cochran Road  
Glenwillow, OH 44139

3. Description of the interest conveyed:

☒ Assignment

☐ Change of Name

☐ Security Agreement

☐ Merger

Other \_\_\_\_\_

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40.00 00

**First Class Mail Certificate**

I hereby certify that this TRANSMITTAL LETTER and ASSIGNMENT are being deposited with the United States Postal Service by first class mail procedure in an envelope addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231 on April 23, 2001.

Cathryn Terchek

Date: April 23 2001

4. ☐ These documents are being filed together with a new application, the execution date of which is:

or

☒ These documents are being filed with application Serial No. 09/759,437, filed on January 12, 2001, the execution date of which is: April 12 and April 16, 2001

5. Name and address of Party to whom correspondence concerning this document should be mailed:

Patrick R. Roche  
Reg. No. 29,580  
FAY, SHARPE, FAGAN  
MINNICH & McKEE, LLP  
1100 Superior Avenue, Seventh Floor  
Cleveland, Ohio 44114-2518

6. One patent application(s) is/are involved.

7. ☒ Amount of fee enclosed: \$40.00  
☐ Amount authorized to be charged to Deposit Account No. 06-0308:

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 06-0308.

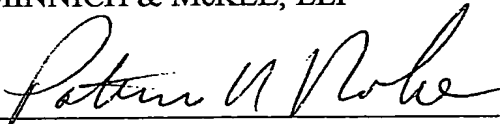
8. The assignment shows it was signed on: April 12 and April 16, 2001

9. To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

10. Total number of pages enclosed: 4.

Respectfully submitted,

FAY, SHARPE, FAGAN,  
MINNICH & McKEE, LLP

  
Patrick R. Roche  
Reg. No. 29,580  
1100 Superior Avenue, Seventh Floor  
Cleveland, OH 44114-2518  
(216) 861-5582

4/23/01  
Date

**ASSIGNMENT**

For good and valuable consideration, the receipt of which is hereby acknowledged, We, the undersigned,

**Paul D. Stephens, Jeffrey M. Kalman,  
Steven J. Paliobeis and Charles J. Thur**

who have created a certain invention for which an application for United States Letters Patent has been executed

☐ concurrently herewith      ☐ executed on  
[XX] Serial No. 09/759,437  
filed January 12, 2001

and is entitled

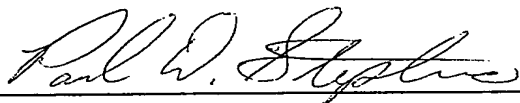
**VACUUM CLEANER WITH  
NOISE SUPPRESSION FEATURES**

Do hereby sell, assign and transfer to **ROYAL APPLIANCE MFG. CO.**, a corporation of the State of Ohio having a place of business at 7005 Cochran Road, Glenwillow, Ohio 44139, its successors, assigns, and legal representatives, the full and exclusive right to said invention and said application and to any and all inventions described in said application for the United States, its territorial possessions and all foreign countries, and the entire right, title and interest in and to any and all Letters Patent which may be granted therefor in the United States, its territorial possessions and all foreign countries; and in and to any and all continuations-in-part, continuations, divisions, substitutes, reissues, extensions thereof, and all other applications for Letters Patent relating thereto which have been or shall be filed in the United States, its territorial possessions and/or any foreign countries, and all rights, together with all priority rights, under any of the international conventions, unions, agreements, acts, and treaties, including all future conventions, unions agreements, acts, and treaties;

Agree that **ROYAL APPLIANCE MFG. CO.**, hereinafter referred to as Assignee, may apply for and receive Letters Patent for said invention and said inventions, hereinafter referred to as said invention, in its own name, in the United States, its territorial possessions, and all foreign countries; and that, when requested to carry out in good faith the intent and purpose of this assignment, at the expense of said Assignee, its successors, assigns and legal representatives, the undersigned will execute all continuations-in-part, continuations, divisions, substitutes, reissues, extensions thereof, execute all rightful oaths, assignments, powers of attorney and other papers, testify in any legal or quasi legal proceedings; communicate to said Assignee, its successors, assigns or legal representatives all facts known to the undersigned relating to said invention and the history thereof; and generally do everything possible which said Assigned, its successors, assigns, or legal representatives shall consider desirable for aiding in securing, maintaining and enforcing proper patent protection for said invention and for vesting title to said invention and all applications for patents on said invention in said Assignee, its successors, assigns, or legal Representatives; and

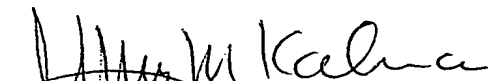
Covenant with said Assignee, its successors, assigns, or legal representatives that no assignment, grant mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by the undersigned, and that full right to convey the same as herein expressed is possessed by the undersigned.

IN TESTIMONY WHEREOF WE have hereunto set OUR signatures on the dates indicated below.



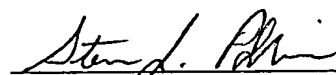
**Paul D. Stephens**

Date 4-12-01



**Jeffrey M. Kalman**

Date 4-16-01



**Steven J. Paliobeis**

Date 4-12-01



**Charles J. Thur**

Date 4-12-01